

Attorney Docket No. 5390.200-US
Dorwald et al.
Serial No. 09/548,081 Filed April 12, 2000
Via Facsimile to 703-872-9306

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MAY 18 2004

Attorney Docket No.: 5390.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dorwald et al.

Application No.: 09/548,081

Group Art Unit: 1624

Filed: April 12, 2000

Examiner: Liu, Hong

Confirmation No.: 5691

For: Substituted Imidazoles, Their Preparation and Use

OFFICIAL

RESPONSE TO EXAMINER INQUIRY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

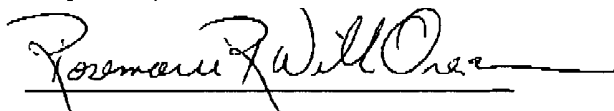
Sir:

Applicant received a telephone call on May 18, 2004, from the examiner in which he indicated he had not received page 11 of the Amendment/Response Applicant had sent by Express Mail on April 30, 2004. Applicant has enclosed herewith a duplicate of page 11 of the Amendment/Response.

The examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this communication. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

Date: May 18, 2004

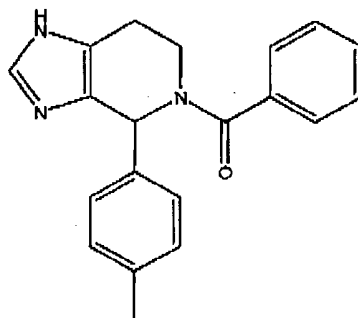

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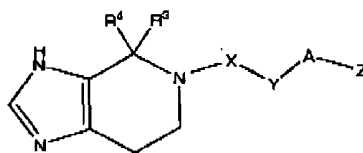
PATENT TRADEMARK OFFICE

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Express Mail Label No. EV 409530721 US



Stocker, et al. RN 126036-49-5

1h-imidazo[4,5-c]pyridine,5-benzoyl-4,5,6,7-tetrahydro-4-(4-methylphenyl)



5390,200-US Formula I.

q = 1

R¹, R², R⁵, R⁶ = H

Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b)

(3) The examiner has rejected claim number 107 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim number 107 recites the limitation "cycloalkenyl" in Z. There is insufficient antecedent basis for this limitation in the claim.

Applicant has amended claim number 107, rendering the rejection moot. Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

Applicant has amended claim number 102 to remove a typographical error (duplicate phrase). Applicant believes the claims are in condition for allowance.